

REMARKS

With this Response, claims 1, 11, and 21 are amended herein. No claims are currently added or canceled. Therefore, claims 1-30 are pending.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 1-2, 4-7, 11-12, 14-17, 21-22, and 24-27

These claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,692,155 issued to Iskiyan et al. (*Iskiyan*) in view of U.S. Patent No. 5,890,537 issued to Kern et al. (*Kern*) and U.S. Patent No. 6,360,306 issued to Bergsten (*Bergsten*). Applicants respectfully submit that the claims as amended herein are not rendered obvious by the cited references for at least the following reasons.

Claim 1 as amended recites the following:

- providing a plurality of distributed object storage managers "DOSMs" for receiving requests for files;

- providing at least three intelligent storage nodes accessible to said DOSMs over a wide area, public access network coupling the DOSMs to the storage nodes, said storage nodes accessible to said DOSMs via public access network addresses associated with the storage nodes;

- storing at least one file in a first intelligent storage node accessed via a DOSM over said network;

- storing a duplicate of said file in a second intelligent storage node accessed via said network;

- in the event of a failure of said first intelligent storage node** resulting in a failover condition rendering said first intelligent storage node unavailable, **redirecting a file request from said first intelligent storage node to said second intelligent storage node** and indicating a location determined at said DOSM for said file in said second intelligent storage node; and

- accessing, via said network, said file stored in said second intelligent storage node in response to said file request or a subsequent file request.

Claims 11 and 21 similarly recite redirecting a request from a first to a second entity in the event of a failure of the first entity. Specifically, claim 11 refers to an intelligent storage node, and claim 21 refers to a directory.

Iskiyan discusses suspending activity at a storage controller to allow time for the storage controller to copy a backup to another location. Furthermore, Applicant submits that the storage locations in *Iskiyan* are not storage nodes accessible over a wide area, public access network, in contrast to the claimed invention. Thus, *Iskiyan* fails to disclose or suggest redirecting a request from a first storage node to a second node in the event of a failure of the first storage node. Furthermore, *Kern* and *Bergsten* fail to cure the deficiency of *Iskiyan*. The references, alone or in combination, fail to disclose or suggest redirecting a request from a first storage node to a second storage node remote from said first storage node and accessible over a public access network, as recited in the claims. Thus, the cited references fail to disclose at least one element of the claimed invention, and so fail to support an obviousness rejection of claims 1, 11, and 21 under MPEP § 2143.

The remaining claims depend, either directly or indirectly, from claims 1, 11, and 21. When an independent claim is nonobvious, any claim depending from it is also nonobvious. MPEP § 2143.03. Therefore, Applicant respectfully submits that the remaining claims are not rendered obvious by the cited references for at least the reasons set forth above with respect to the independent claims.

Claims 3, 8-10, 13, 18-20, 23, and 28-30

These claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Iskiyan*, *Kern*, and *Bergsten* in view of several references. Specifically, claims 3, 13, and 23 in view of RFC0917: Internet Subnets, 1984, ACM, pages 1-17 of Mogul (the *Mogul* article); claims 18 and 28 in view of U.S. Patent No. 5,506,984 issued to Miller (*Miller*); claims 9, 19, and 29 in view of U.S. Patent No. 6,256,673 issued to Gayman (*Gayman*); and claims 8, 10, 20, and 30 in view of Computer Dictionary Third Edition, 1997, Microsoft Press, page 377 (the *MS Computer*

Dictionary). Applicant repeats the appreciation for the Examiner's effort in providing a complete and thorough examination.

Applicant nevertheless respectfully submits that the claims are not rendered obvious by the cited references for at least the reasons that, as set forth above, the primary references, *Iskiyan*, *Kern*, and a *Bergsten*, fail alone or in combination to disclose the invention as recited in the independent claims 1, 11, and 21. Applicant respectfully submits that the additional references, the *Mogul* article, *Miller*, *Gayman*, and the *MS Computer Dictionary* fail to cure the deficiencies of the primary cited references noted above. The cited references fail to disclose or suggest at least redirecting a request from a first storage node to a second storage node remote from said first storage node and accessible over a public access network, and so fail to disclose the invention as recited in claims 1, 11, and 21. Because claims 3, 8-10, 13, 18-20, 23, and 28-30 depend from claims 1, 11, and 21, Applicant respectfully submits that these claims are not rendered obvious by the cited references for at least the reasons set forth above with respect to the independent claims.

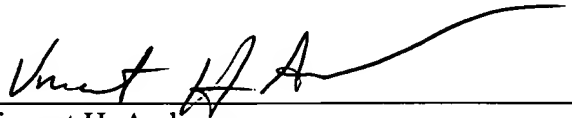
CONCLUSION

For at least the foregoing reasons, Applicants submit that all rejections have been overcome, rendering all pending claims in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the above-referenced application.

Please charge any shortages and credit any overcharges to our Deposit Account number
02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: 12/7/04



Vincent H. Anderson
Reg. No. 54,962

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
Telephone: (503) 439-8778

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